

ESKRIDGE (J.T.)

REPORT OF CASES OF MORAL IMBECILITY, OF
THE OPIUM-HABIT, AND OF FEIGNING,
IN WHICH FORGERY IS THE
OFFENCE COMMITTED.

BY

J. T. ESKRIDGE, M.D.,

OF DENVER, COLORADO;

PROFESSOR OF MENTAL AND NERVOUS DISEASES IN THE UNIVERSITY OF COLORADO;

NEUROLOGIST TO THE ARAPAHOE COUNTY, TO THE ST. LUKE'S,

AND TO THE DEACONESS HOME HOSPITALS.



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DURING the past year I have been called upon to testify in the criminal court in several instances in which the subjects arraigned, all for the same offence, forgery, presented the same excuse, insanity. I have arranged these cases into three classes: moral imbecility, morphinomania, and feigning. As most of the persons assigned to each class present many features of interest, both to the lawyer and physician, I shall give histories illustrative of each group.

CASE I. *Moral imbecility*.—R. B. T., twenty-two years old, a male, and by occupation a printer, has been arrested for numerous forgeries. I have been unable to learn anything definite of the patient's family history, but from a letter written by his mother, in which she claims an exceptionally good record for the family, I think that she is mentally below the average. The young man is a decided blond, of medium height; he is slender, pale,

¹ Read before the Medico-Legal Society of Denver.



and presents a weak and anemic appearance. His head is of fair size, but it is irregular in outline, and is in aspect decidedly different from the average head. He seems bright and intelligent, is said to be quite expert at his trade, and is a voluble and rather plausible talker. Of his life before his fourteenth year I have been unable to learn anything, but at this age he began to learn his trade, soon became addicted to the excessive use of cigarettes, indulged in alcohol and venery, contracted the habit of gambling, and not long after his fourteenth year he commenced to forge checks for small amounts. This he did in Pueblo, and, on being arrested, his family redeemed the checks and he was not prosecuted. After being released, he again committed forgery, never drawing a check for a large amount, but simply making them large enough to supply money for his immediate drinking or gambling purposes. He went to Kansas City, worked for a short time, but soon resumed his habit of forging checks to secure small sums of money. He was accustomed to draw a check in his own favor, signing it in the name of some imaginary party, and before the check went to protest he would secure money on another forged check and pay the amount of the former forged paper. He seemed to regard his actions as legitimate, provided he succeeded in paying the checks before they went to protest, and appeared unable to realize anything criminal in his acts. He finally succeeded in drawing the money on so many checks that he was compelled to leave the city to escape arrest. He returned to his family in Pueblo, again forged several checks, and was arrested. His family again came to his rescue, but warned him that if he were again arrested for forgery they would not try to shield him from the law. He came to Denver in the latter part of the year 1891, and be-

fore he had been in the city twenty-four hours he forged three or four checks, all for small amounts. To illustrate his actions I will read from his attorney's letter to me.

"DENVER, COL., May 24, 1892.

"The facts pertaining to R. B. T., so far as I have any connection with his case, and so far as I possess any knowledge of him as an individual, are substantially as follows:

"Some time prior to December, 1891, he was arrested and charged with the passage of some three or four forged instruments of writing. He caused himself to be entered, in one of the trials, as his own attorney, and defended himself with very considerable vigor, but, of course, without any technical knowledge, and the result was a conviction. The conviction was set aside for manifest errors, and I was assigned to defend the prisoner.

"I undertook his defence, and endeavored to establish an alibi, but was not successful. He was again convicted, and sentenced for a period of eight years to hard labor in the penitentiary. I took out a writ of error to the Court of Appeals, and upon a presentation thereof, was granted a supersedeas, wherein the bond was fixed at \$1000. This bond was given and T. was again at liberty. He went to the town of Ouray, Colorado, and remained there several months, until his other cases, which had not been disposed of, were set for trial, and practically beat his way on the railways from Ouray to Denver, a distance of several hundred miles. Upon his arrival here, I succeeded in having his various cases continued to await the action of the Court of Appeals in the supersedeas case pending in that tribunal. I then explained to him (and he fully understood the facts), that the Court of Appeals would not pass upon his case prior to September or October (about six months later), and that, in my opinion, the case would be reversed, and in all probability his cases would never be tried, provided he would behave himself in the meanwhile as a law-abiding citizen should. He promised me a faithful observance of my instructions to him, and immediately thereafter, without any provocation so far as I can

see, and with money in his pocket, enough to support him, and with a good trade as printer, at which he is an expert, he proceeded to forge some seven or eight checks for a gross aggregate amount not to exceed sixty-five or seventy-five dollars.

"In his earlier forgeries in 1891, which were likewise in very small amounts, he used the name, S. M. Simpson, and signed them either with that name or with a name of similar sound. In his more recent forgeries, taking place a month or two ago, he used the same character of handwriting and the same name, with, perhaps, one exception. There has never been an attempt in any of his forgeries to feign any handwriting, and I think, with one exception, the payee in all of them has been the same."

The young man, in the latter part of May, 1892, was brought to my office, where I spent about two hours in investigating his case.

I found that all his forgeries had been committed solely and simply as a matter of convenience, and that he did not think he had ever committed forgery in a criminal sense. He never drew a check for more than a few dollars, just enough to meet his present wants, and seemed to believe that if he succeeded in raising the money to pay the check before it went to protest he had done nothing more than play a smart trick to secure money for a pressing necessity. All his actions sustained this view of his case. He had on more than one occasion drawn a check for a few dollars, when he had at the same time money at his room. He said he did this because it was more convenient to draw a check than to stop his gambling and go to his room for money. If he were unmolested, the next morning he would pay the check before it went to protest. He acknowledged that forgery, as ordinarily practised, was a crime and should be punished. He appeared to think that he was being persecuted, and did not

realize that he had done anything wrong in forging a man's name to secure money, when he meant to pay the check himself, and prevent anyone losing anything by his actions. He is supremely egotistical and intensely selfish, and cannot realize that his convenience should be interfered with, even though the whole community should suffer on account of his actions.

At his trial for insanity in the county court, I testified that I believed him to be a moral imbecile, whose selfishness and egotism caused him to disregard all law when he wished to gratify some passing desire. The jury returned a verdict of insanity, and he was remanded to the custody of the sheriff until room for him should be found in the State Asylum. He is still in the county jail here, and has been since his trial, as our State Asylum is overcrowded. At his trial he ignored his insanity and tried to justify his actions on the score of expediency.

During his stay in the county jail he has written several long and interesting letters. In a letter to his wife, written a few days after he was adjudged insane, he exultantly recounts his triumphs in Denver. He tells her that through the shrewdness of his attorney and his own masterly way of conducting himself, the judge, the jury, the county attorney, and even an expert on insanity, have been deceived, and he has been declared insane. He informs her that he is not very bad, and that, although only two days have elapsed since the trial, he is already able to recognize his attendants; and one week's detention in the asylum, to which he feels sure he will be transferred in a day or two, will suffice for his complete recovery. His conduct in the jail has been overbearing to an offensive degree. He speaks to his attendants as though they were his

vassals, declares that he is being persecuted, and pompously asserts that he is going to have the whole matter investigated. He insists on his attorney visiting him several times each week, and relates to him in great detail his real or supposed wrongs. He yet languishes in jail, but still remains the same overbearing, unconquered, self-important individual. This young man indifferently drew checks on any convenient bank, and with none of which had he ever kept an account.

We will now study the nature of moral imbecility and compare T.'s case with others that are on record.

Bucknill and Tuke, in their work on *Psychological Medicine*, in a foot-note on page 49, state: "In fact, the term moral insanity is now universally restricted to that morbid condition which results in immoral acts without apparent intellectual disorder." Dr. Crichton Browne's description of moral insanity, written many years ago, is regarded as one of the best. He says:

"Moral insanity is of frequent occurrence in early life. The intellectual faculties of the person affected by it remain entire and unimpaired. He is perfectly capable of perceiving and knowing and judging. He cherishes no delusion. He cannot in the ordinary and legal acceptation of the term be pronounced insane, and yet he is to all intents and purposes of unsound mind, and as much requiring guidance, restraint, and treatment as the furious maniac. He suffers from entire perversion of the moral principle, from the want of every good and honest sentiment. He is actuated by impulse, or by the most selfish, depraved, and cruel motives; he presents, in short, a perfect picture of a desperado or ruffian. The existence of moral insanity, like the existence of everything else, has been called in question, and at the present day there are not lacking those who will recklessly commit the moral monomaniac to the scaffold or the peni-

tentiary, little thinking that in so doing they punish disease and not crime. We are forced to acknowledge moral insanity as an actual disease by the most cursory glance at the previous history of some of those by whom it is manifested. Many of them from being refined and virtuous, and upright and prudent, have become coarse and licentious, and dishonest and reckless. We believe that many of our jails and penitentiaries are peopled by such." (*Ibid.*, p. 244)

Dr. Prichard, one of the ablest and earliest of English physicians to devote much time to the study of the form of insanity under consideration, remarked: "It seems not improbable that many persons, wrong-headed and perverse through life, and singularly capricious and depraved, would afford in reality, if the matter could be ascertained, examples of moral insanity, native or congenital." (*Ibid.*, p. 245.)

Bastian wrote many years ago: "There are certain beings who are moral imbeciles." "It is remarkable," he states, "what an acute intellect may sometimes coexist with an entire absence of the moral sense." (Reynolds's *System of Medicine*.)

Cases of moral imbecility are often difficult to diagnosticate. Some may take the form of so-called kleptomania, some of pyromania, some may be impulsively homicidal or suicidal, others may be simply vicious and perverse, taking delight in acts of cruelty or in annoying their associates; while, in all, there is to a greater or less extent a loss of self-control.

In a recent brochure entitled *Prichard and Symonds; with Chapters on Moral Insanity*, Tuke gives a letter from Dr. Prichard to his (Tuke's) father, in which he says: "I am desirous of knowing whether

you have observed (at the York Retreat) any cases of moral insanity. By that term I distinguish the mental state of persons who betray no lesion of understanding, or want of the power of reasoning and conversing correctly upon any subject whatever, and whose disease consists in a perverted state of the feelings, temper, inclinations, habits, and conduct."

Dr. Tuke himself describes the condition as being "not loss of memory, not delusion or hallucination, not any deficiency of talent or genius, not any lack of mental acuteness, and certainly no incoherence of ideas or language, but a deficiency or impairment of moral feeling or self-control, such being either the development of a character natural to the individual, or a departure from it, which contrasts most strikingly with its former traits." (*Brain*, part lvii, p. 126.)

Tuke says that the diagnosis of moral insanity cannot be made by any rule, but that each case must be studied and decided in relation to the individual himself, his antecedents, education, surroundings, and social status, the nature of certain acts, and the mode in which they are performed, etc. (*Ibid.*, p. 131.)

We have, then, in moral imbecility a moral perversion, with loss of self-control.

The young man, the history of whose case has just been given, is nervous, subject to attacks of severe headache, with slight fever, coming on once or twice each year, and lasting one or two weeks at a time. Early in life he fell into habits fitting a criminal of mature years, and forged checks for small amounts, from time to time, apparently as a

matter of convenience. The amounts of money he secured on checks were always small, and the forgery was done in a routine and systematic manner. When asked in court if he did not know that forgery was a crime and punishable, he promptly replied that he did, and made no effort to explain why he had committed forgery. He was asked if he had not committed forgery. He said that he supposed he had, or, at least, people seemed to think he had. On inquiring if he expected to commit forgery again, he replied that he did not, as he had no desire to be imprisoned. Then he was asked what he would do if he wished to purchase a parcel of goods, if all his money should happen to be at home, several blocks distant. His answer was that he would either go and get his money, or give a check for the amount, then get the money and pay the check at his convenience. When asked if he did not know that this would be forgery, he indignantly replied that it would not, as he would not be trying to cheat anybody. Convenience with him is supreme law, and self-gratification the great object of life. Egotism and a disregard of the rights of others characterize all his actions. All of his actions with which I have become familiar correspond with the statements that he made to me and before the jury.

The next case that I wish to report is one of moral imbecility, complicated by the opium-habit. Alcoholics and neurotics are found in the family tree.

CASE II.—Mrs. W., twenty-four years of age, of Nebraska, is a large fleshy woman; mentally rather

dull, and her mind acts slowly. As a girl, up to her sixteenth year, when she was married, she manifested few symptoms different from other girls of her age, except that she seemed wayward, headstrong, and somewhat eccentric. At her first confinement she became insane (form not known), and remained in this condition for several months. Shortly after her recovery from this mental aberration she became hysterical, peevish, and fretful, and developed kleptomaniac tendencies. When she went to a store to order groceries she would fill her pockets with articles of slight value. Many of these were absolutely useless to her. At times she ordered goods in considerable quantities to be sent to the houses of different persons, saying that she had been requested to leave such orders. Finally her lying and thieving propensities caused her to be such a nuisance that merchants ceased to believe or trust her. After a while she began to have hysterical paroxysms, of several hours' duration, during which she would lie convulsed and semi-conscious. About this time, some four years ago, she began the use of morphine. She had hysterical hemi-anesthesia that lasted a year. Some three years ago she began to attend the meetings of the Salvation Army, and by some of the religious fanatics she was considered quite an acquisition to their ranks, as she made as much noise and professed as great a change of heart and character as the best of them. One night, in their experience meetings, she arose and said: "I wish to tell what the Lord has done for me. Last night I slept in the arms of a railroad man; to-night I shall sleep in the arms of Jesus." Some one in the gallery inquired in a loud voice, "Are you engaged for to-morrow night?" The meeting went on till a late hour as usual. When it ended, and the people were leaving the house, she was seen

standing in the vestibule looking searchingly at the male portion of the congregation as they were leaving the building. Finally, when most of the people had left, she inquired of a man if he knew the man who inquired if she were engaged for "to-morrow night," stating she would like to see and make an engagement with him.

I mention this episode in the life of this moral imbecile to illustrate the utter worthlessness and hollowness of all professions of reformation made by such mentally defective creatures.

Whether she had resorted to forgery before she came to Denver about two years ago, I was unable to learn. Her husband is small, insignificant-looking, and a worthless-appearing man. It seems that he and a certain other man were cognizant of her forgeries and profited by them, if they did not suggest and direct them.

Within a few months after she came to this city she had succeeded in passing eighteen forged checks, all for small amounts. They were all in the same handwriting, which did not differ materially from her usual writing, with one, or possibly two exceptions, signed by the name of the same person, and were nearly all, if not all, drawn in favor of the same individual. About the only variation that was noticed about the checks was a change of address on nearly every one. It was her custom to go into a store and order a small bill of goods sent to her at a certain address, and then offer in payment a check drawn for about ten or fifteen dollars. As the purchase that she had made did not amount to more than two or three dollars, she obtained, as a rule, about ten dollars for each check.

When she was arrested and committed to the county jail she was under the influence of morphine, and probably of whiskey. She claimed to have been

accustomed to take from ten to twenty grains of morphine daily. I saw her, after her imprisonment, with Dr. M. Baker, and we soon succeeded in reducing the quantity of morphine to two grains daily, and in about one month we stopped it entirely. She gained considerably in flesh after the drug had been discontinued.

When she was being tried for the forgeries, at the request of the district attorney and the attorney for the defence, the court appointed Dr. McLauthlin and myself to make an examination into her mental condition.

We found no physical evidence of any organic nervous lesion, and physically she appeared to be in an excellent condition, notwithstanding that she claimed to be unable to feel the contact of substances or the prick of a pin in certain areas. On repeated examinations of the sense of touch and pain over different portions of her limbs we found the areas to change in size and situation from time to time; so that we were forced to the conclusion that she was feigning anesthesia and analgesia. She appeared to have but little regard for the truth, but exhibited great caution and deliberation in her answers to our inquiries concerning the forgeries, lest she should contradict herself. She claimed to know nothing of all the checks, save one, and to remember nothing of obtaining money or goods on any but this one. This particular check she said was given her by a male friend. When asked why she had given a wrong address when she obtained money and goods on it, she said that she did not want the merchant to know where she was stopping. On having her write her name and then showing her the identity of the handwriting on the forged checks and on the paper on which she had just written her name, she became confused, but stuck to her former

statement that the check had been written and given her by a friend. On questioning her in regard to her actions on the days on which the seventeen other checks had been drawn and passed, it was found that she had a fairly good memory for everything that occurred on those days, except what took place in relation to the checks.

Dr. McLauthlin and I agreed that she was feigning, knew all about the forged checks and the obtaining of money and goods on them; and we further agreed that she was a moral imbecile. Before we were called into the district court to testify, she was taken to the county court and adjudged insane, and remanded to the care of her father and mother in Omaha, where, I have no doubt, she is still pursuing the even tenor of her ways, and probably visiting revival meetings and professing great change of heart.

In the county court I simply testified that the unfortunate woman was morally rotten, that she was a criminal and moral imbecile by inheritance, nature, and practice, without self-control to restrain her from following her evil impulses, and that she was incurable and would live and die a criminal and a moral blot upon the community in which she chanced to reside.

On comparing with each other the histories of the two cases just related it will be perceived that they vary greatly in certain respects. In one, the young man, there are no kleptomaniac tendencies; he is bright, intelligent, egotistical, and oblivious of the rights and privileges of everybody else; he will not steal, he abhors a thief, although he has not hesitated to take mean advantages of his partners in the gambling business; he is a systematic

petty forger, to such an extent that he may be said to have a *penchant*, or almost a mania, for forging, yet his actions have shown that these forgeries have been committed rather for convenience than for the purpose of defrauding anyone; he seems to take pride and delight in obtaining money on a worthless piece of paper, and tries to pay the check before it is protested. In this he can realize nothing wrong. When confronted with his crimes he denies nothing, but acknowledges all, gives a detailed account of every transaction, his intentions, and the causes that led up to the forgery.

In the other, the young woman, kleptomaniac tendencies have been manifest for a number of years; she is dull, somewhat stupid, suspicious and deceitful; she exhibits no egotism, and apparently cares nothing for the opinions of others; she is not a systematic forger, but seems to have been actuated by a different motive than that shown by the young man; she desires to defraud, and by falsehoods keeps her address a secret; it is only comparatively recently that she has resorted to this method of gaining money, and when confronted with proofs of her guilt, she lies and persists in lying, although she knows that she is not believed. She even denies all remembrance of obtaining money on more than one check, and this she maintains was not forged by her, although her own handwriting condemns her.

What is the difference? The young man belongs to a more definite and better class of moral imbeciles than that to which the woman is assigned. He does wrong because he sees and recognizes no

wrong in what he does. In the woman two causes seem to be in operation—one a partial moral obliquity, and the other a delight in doing wrong because it is wrong.

There is one mitigating circumstance connected with the woman's forgeries, and this should not be omitted in summing up the character of her actions. It was observed that when she obtained money on forged checks she was always joined by her husband or by another man soon after she left the store. This would suggest that these men were acquainted with her doings while in the store, and probably had suggested the forged checks as a means of obtaining money. Now take a person morally depraved as this poor unfortunate creature is, and he becomes the dupe of every designing individual who happens to have influence over him.

CASE III.—The third case that I report is quite brief. It is in relation to the criminal action of a morphine-habitué, a young man, whose family and personal history I was unable to obtain, further than that he had been accustomed to the free indulgence of morphine for eight or ten years, and during the last two or three years preceding the crime had been in the habit of taking from twenty to thirty grains of morphine daily. He was accompanied by two young men to a second-hand clothing store, obtained a suit of clothes for which he was to pay six dollars, produced a check drawn in his favor for twelve dollars, signed it, and received six dollars in change. Nothing wrong was observed with the young man during the transaction. Shortly after this the check was found to be worthless, and the man was arrested. He denies having any knowl-

edge of obtaining either clothes or money on the check, although it was proved that he had obtained both, and had written the check himself. The plea of amnesic insanity was set up by the defence, on the ground that he had taken about ten grains of morphine just before the transaction.

I was appointed by the court, at the request of the defence, to testify in regard to the man's insanity at the time of the transaction, and in regard to the influence of morphine on the mind. I found that the man remembered almost everything that occurred on the day of the alleged transaction except the transaction itself.

After giving the attorney for the defence my opinion in the case, and telling him that I should have to testify in the main against his client, I was requested by him to take the witness-stand. He asked me only one question: the influence upon the mind of the free and prolonged use of morphine. I testified, of course, that it made a moral wreck of a man and lessened and destroyed his self-control. On cross-examination I was asked (although the defence objected to the question) the immediate influence on the mind of the usual quantity taken by morphine habitués before the period of stupor was reached. I answered that it brightened and quickened the intellect, improved the memory for the time being, and put the opium-user in the best possible mental and physical condition. I was asked if the habitué of morphine knew right from wrong under such circumstances. I answered that he would distinguish quite clearly, although he might be unable to resist doing wrong. The young man was convicted and sentenced to the penitentiary.

I believe that this man was a tool in the hands of his two evil companions. They probably planned the

crime and he carried it out. He probably realized that he was doing wrong at the time of the act, but moral control was gone, and the hope of obtaining money for further indulgence in morphine made him a ready victim for almost any crime suggested to him.

CASE IV.—The fourth and last case that I report requires a little more careful study than Case III.

The patient is a young man of twenty-two years of age, newly married, and of an intelligent, mild, and prepossessing appearance. He is a college-graduate, and has received a fairly good business education. He came to Denver about one year before his arrest in this city, and like the majority of people who do not belong to one of the three professions, he entered into the real-estate business. His life before coming here, so far as I was able to learn, had been exemplary. He met and married a young and rather prepossessing lady whom he had led to believe that he was doing a prosperous business and had become possessed of considerable wealth. He said that he was agent for a tract of land in Texas, for which he claimed that he would make twenty-five thousand dollars. He bought three houses and lots, for which he had no money to pay. He purchased expensive furniture for his office, and for this he gave a check on the bank in which he had formerly kept an account. His grocery bill amounted to seventy-five dollars. He drew a check payable to his wife on the same bank for more than the amount of the grocery bill, went with her to the grocery man, and had her pay his bill with the check. Within a few days he drew several checks for various small sums for debts contracted and purchases recently made. Suddenly he disappeared and was not found for several days. During this time the

checks had been protested. He was found staying in the unoccupied houses which he had recently bought. He was arrested and committed to jail, and I was requested by the attorney for the defence to make an examination of his mental condition.

After inquiring into his life, habits, and mental powers up to the time when he began to draw checks for which he had no money in bank to pay, I took up in detail, beginning with the first, each amount for which he had drawn worthless checks, and found that he remembered with remarkable accuracy the minutest circumstances connected with each transaction. He could give the amounts of each check, the date it was drawn, and for what the debt was contracted. When I asked him why he drew the checks when he had no money in the bank, his invariable reply was that he knew he had some nine hundred dollars in bank, and if the bank said he had not, it made a mistake. I asked him if his bank-book did not show that he had no money on deposit in the bank. He said it might, but that he knew the bank was mistaken, as he had deposited about nine hundred dollars in the bank since his book had been balanced. I continued my inquiries into the time (several days) during which his whereabouts had not been known to his wife or his friends. For this period he claimed to have no memory whatever.

On inquiry at the bank, I learned that he had not made the deposits which he claimed to have made, and that he withdrew his account from the bank some nine months before the fraudulent checks were drawn. I found that he remembered his arrest while staying in the unoccupied house, but he said he could not tell how long he had regained consciousness before his arrest.

Without going into the reasons for my opinion, I

told the young man's attorney that I felt positive that his client was feigning. I heard nothing of the case until about three months after my examination, when I was summoned by the district attorney to appear in the criminal court to testify in a case of alleged insanity. On my arrival in court I found the case was that of this young man. The district attorney did not know that I already had knowledge of the case. During the progress of the trial I learned from witnesses who testified in the case that several of the statements which the prisoner had formerly made to me and his attorney were false. After adjournment of court I began an examination of the prisoner in the presence of his attorney, the office of the district attorney not being represented. I found the young man exceedingly nervous and despondent. Several developments in his case had occurred during the time that I had been in court which proved that he had not been truthful either with me or his attorney. I abruptly demanded of him to know why he had dealt falsely with his attorney and me, and told him that I feared it was too late to do anything for him, but advised him to tell us the whole truth and we would do all that we could for him. He expressed regret that he had not been truthful, and with tears in his eyes frankly acknowledged that he knew when he drew the checks that he had no money in bank, but excused his conduct on the ground that money was due and promised him, and he had expected to collect this and deposit it in bank before the checks were presented. Failing in this, rather than tell his wife and creditors his unfortunate condition, he had tried to secrete himself, when he was arrested.

It is needless to say what the verdict of the jury was.

We may inquire, What should be done with the criminal moral imbecile, or with the criminal moral reprobate caused by the use of alcohol or opium? Shall he be allowed to go free on the plea of insanity and irresponsibility? The community has certain rights as well as the individual, and those of the former are greater than those of the latter. It seems to me that the only feasible solution of the subject is to make all criminals who are not suffering from those forms of insanity that necessitate their confinement in an asylum responsible to the law for their conduct, but to modify the punishment according to the degree of self-control possessed by each class. Neither the insane asylum nor the penitentiary is a fit place for the moral imbecile, or for the criminal insane in general. It is an outrage to subject the insane to the constant presence and association of the criminal insane, and it is equally unjust and inhumane to confine the latter with the hardened criminal, such as are found in our jails and penitentiaries. Every State should have a separate place provided for its criminal insane.

Owing to the indefatigable and intelligent efforts of Dr. Peterson and his co-laborers in the cause, the State of New York is about to establish a home for its epileptic population. Let us hope that this good work may spread to every State in the Union, and that not only the epileptic but also the insane criminal, of which the epileptic population forms no insignificant proportion, may be equally well and suitably provided for.

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